

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SHAWN KELLY THOMASON,

Case No. 20-12414

Plaintiff,

HON. DENISE PAGE HOOD

v.

FEDERAL BUREAU OF INVESTIGATION,

Defendant.

**ORDER DENYING MOTION TO REOPEN CASE,
DENYING MOTION TO REDACT OR FILE UNDER SEAL AND
DENYING AS MOOT MOTION FOR CHANGE OR REASSIGNMENT**

This matter is before the Court on Plaintiff Shawn Kelly Thomason's Motion to Reopen Case. On June 28, 2021, the Court entered an Order Dismissing Case for failure to prosecute the case. (ECF No. 4)

The Local Rules of the Eastern District of Michigan provide that any motion for reconsideration of non-final orders must be filed within 14 days after entry of the order. E.D. Mich. LR 7.1(h)(2). No response to the motion and no oral argument thereon shall be allowed unless the Court orders otherwise. E.D. Mich. LR 7.1(h)(3). Motions for reconsideration of non-final orders are disfavored and may be brought only upon the following grounds:

- (A) The court made a mistake, correcting the mistake changes the outcome of the prior decision, and the

mistake was based on the record and law before the court at the time of its prior decision;

- (B) An intervening change in controlling law warrants a different outcome; or
- (C) New facts warrant a different outcome and the new facts could not have been discovered with reasonable diligence before the prior decision.

E.D. Mich. LR 7.2(h)(2). Parties seeking reconsideration of final orders and judgments must be filed under Rule 59(e) or 60(b) of the Rules of Civil Procedure.

A motion for reconsideration is not a vehicle to re-hash old arguments, or to proffer new arguments or evidence that the movant could have brought up earlier. *Sault Ste. Marie Tribe v. Engler*, 146 F.3d 367, 374 (6th Cir. 1998)(motions under Fed.R.Civ.P. 59(e) “are aimed at *re* consideration, not initial consideration”)(citing *FDIC v. World Universal Inc.*, 978 F.2d 10, 16 (1st Cir.1992)).

The Court finds Plaintiff has not demonstrated that the Court made a mistake in its previous decision. Plaintiff failed to address the fee payment issue, nor properly submitted the documents required to open a case as noted in the Court’s Order.

Accordingly,

IT IS ORDERED that Plaintiff’s Motion to Reopen Case (**ECF No. 5**) is DENIED.

IT IS FURTHER ORDERED that the Motion to Redact or File Under Seal (**ECF No. 7**), which the Court previously denied, is again DENIED.

IT IS FURTHER ORDERED that the Motion for Change or Reassignment of Judge **(ECF No. 10)** is DENIED AS MOOT since the case remains CLOSED.

s/Denise Page Hood

Denise Page Hood

United States District Judge

DATED: March 30, 2022